

First Regular Session of the 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1024

AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 20-30-6.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 6.1. Optional Curriculum

Sec 1. (a) Each school corporation may include as an elective in the school corporation's high school curriculum a course surveying religions of the world. The course must include as part of the course's curriculum:

- (1) the historical study of religion;**
- (2) the cultural study of religion; and**
- (3) a literary study of writings, documents, or records relating to various religions.**

(b) The curriculum described in subsection (a) must be neutral, objective, and balanced. It may not encourage or promote acceptance of any particular religion.

SECTION 2. IC 20-33-12 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 12. Indiana Student Religious Civil Liberties

Sec. 1. This chapter applies to all public schools, including charter schools.

Sec. 2. A public school shall not discriminate against a student

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or a student's parent on the basis of a religious viewpoint or religious expression. A public school shall treat a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject in the same manner the public school treats a student's voluntary expression of a secular or other viewpoint on an otherwise permissible subject and may not discriminate against the student based on a religious viewpoint expressed by the student on an otherwise permissible subject.

Sec. 3. Students may express their beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of their submissions. Homework and classroom assignments must be judged by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the public school. Students may not be penalized or rewarded on account of the religious content of their work. If an assignment requires a student's viewpoint to be expressed in course work, artwork, or other written or oral assignments, a public school shall not penalize or reward a student on the basis of religious content or a religious viewpoint. In such an assignment, a student's academic work that expresses a religious viewpoint shall be evaluated based on ordinary academic standards of substance and relevance to the course curriculum or requirements of the course work or assignment.

Sec. 4. (a) Public school students may pray or engage in religious activities or religious expressions before, during, and after the school day in the same manner and to the same extent that students may engage in nonreligious activities or expression. Students may organize prayer groups, religious clubs, or other religious gatherings before, during, and after school to the same extent that students are permitted to organize other noncurricular student activities and groups. A public school may indicate, in writing, orally, or both, that the religious activity does not reflect the endorsement, sponsorship, position, or expression of the public school.

(b) Religious groups must be given the same access to school facilities for assembling as is given to other noncurricular groups without discrimination based on the religious content of the students' expression. If student groups that meet for nonreligious activities are permitted to advertise or announce meetings of the groups, the public school may not discriminate against groups that meet for prayer or other religious speech.



(c) A public school may disclaim school sponsorship of noncurricular groups and events in a manner that neither favors nor disfavors groups that meet to engage in prayer or religious speech.

(d) Students in public schools may wear clothing, accessories, and jewelry that display religious messages or religious symbols in the same manner and to the same extent that other types of clothing, accessories, and jewelry that display messages or symbols are permitted. Nothing in this subsection shall be construed to prohibit a school corporation or charter school from establishing a policy requiring students to wear a school uniform or establishing a student dress code.

Sec. 5. (a) The department, in collaboration with the attorney general's office and organizations with expertise in religious civil liberties, shall establish a model policy addressing the requirements established by this chapter. The model policy shall be made available for school corporations and charter schools to assist a school corporation or charter school in meeting the requirements established by this chapter.

(b) The department shall publish the model policy established under subsection (a) on the department's Internet web site.

Sec. 6. This chapter shall not be construed to authorize the state or any political subdivision to do either of the following:

(1) Require any person to participate in prayer or in any other religious activity.

(2) Violate the constitutional rights of any person.

Sec. 7. This chapter may not be construed to prohibit a school from prohibiting behavior that is contrary to citizenship or moral instruction required under IC 20-30-5.

Sec. 8. The provisions of this chapter are severable as provided in IC 1-1-1-8(b).



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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